

GOVERNMENT OF ANDHRA PRADESH
ABSRTACT

PUBLIC SERVICES - Commercial Taxes Department - Panjagutta Division - Sri K.Sundar Rao, Assistant Commercial Taxes Officer- Suspended with effect from 12.12.2000 on ACB Trap case - Reinstated in to service on 13.10.2003 - Prosecuted in a court of Law - Acquitted by the SPE & ACB Court, Hyderabad - Further action Dropped - Suspension period from 12.12.2000 to 12.10.2003 regularized - Orders - issued.

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No.894.
Dated:07.07.2009.

Read the following:-

- 1) DC.CT.Secunderabad Ref: No. AM/ 780/2000,dated:12.12.2000
- 2) G.O.Ms.No. 381 Rev (Vig.I) Dept. 26.6.2002
- 3) Govt\Memo.No.74997/Vig.I(3) /2000-8,Dated:23.9.2003
- 4) Judgement of the Prl. Spl. Judge for SPE & ACB Cases Hyderabad, dated:23.6.2007 in CC.No. 37 of 2002.
- 5) G.O.Rt.No.2206, Rev (Vig.I) Dept., Dated 10-10-2007.
- 6) CCT. Ref.No.V3/1008/2008 dt.6-8-2008 together with Representation of Sri K. Sundar Rao, ACTO, O/o. the DC (CT), Panjagutta Division, Hyderabad.

ORDER:

Whereas in the reference 1st read above suspension orders were issued against Sri K.Sundar Rao, Assistant Commercial Tax Officer, Panjagutta Division as he was involved in a trap case.

2) And whereas in the reference 2nd read above sanction of prosecution orders were issued against Sri K.Sundar Rao, Assistant Commercial Tax Officer to prosecute in a court of Law as he was involved in a ACB Trap case.

3) And whereas in the Government Memo. dt.23.9.2003 vide 3rd read above, Sri K. Sundar Rao, Assistant Commercial Tax Officer was reinstated into service on 13.10.2003.

4) And whereas in the reference 4th read above, the Hon'ble Prl. Spl.Judge for SPE & ACB, Cases, City Civil Court, Hyderabad acquitted the said Accused Officer, Viz., Sri K. Sundar Rao as he was found not guilty.

5) And whereas in the reference 5th read above further action against the said Accused Officer, Viz., Sri K.Sundar Rao, Assistant Commercial Tax Officer was dropped as he was acquitted by the Prl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyderabad.

6) The Commissioner of Commercial Taxes, A.P., Hyderabad vide reference 6th cited, forwarded the Representation of Sri K. Sundar Rao, Assistant Commercial Tax Officer in which he has requested the Government to treat his entire suspension period i.e. from 12.12.2000 to 12.10.2003 as duty period with all consequential benefits.

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7) Government after careful consideration of the matter in detail hereby decided to treat the suspension period of Sri K. Sundar Rao, Assistant Commercial Tax Officer, Office of the Deputy Commissioner (CT), Panjagutta Division i.e. from 12.12.2000 to 12.10.2003 "as Duty" for all the purposes as per the instructions issued in FR-54 (B).

8) The Commissioner of Commercial Taxes, A.P., Hyderabad shall take necessary action accordingly.

9) This orders issues with the concurrence of Finance (FR.II) Department, vide their U.O.No.29153/612/F.R.II/08, Dt.14-10-2008.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Commercial Taxes, A.P., Hyderabad.
Sri K. Sundar Rao, Assistant Commercial Tax Officer through
the Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to :

The Pay and Accounts Officer, Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, A.P., Hyderabad.
File/SF/SCS.

// FORWARDED :: BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSRTACT

Public Service - Commercial Taxes Department - Kurnool Division- Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.,) - Held responsible for accepting certain fake 'C' forms and finalizing the assessment with concessional rate of tax @ 4% - Charge framed - Explanation submitted - Enquiry conducted - Report submitted - Further action dropped -Orders issued

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No.

Dated : .07.2009

Read the following:-

- 1) CCT.'s Ref: No. V3/177/2004 Dated: 14.3.2005.
- 2) G.O.Rt.No.303, Rev (Vig.I) Dept, dated:10.3.2006.
- 3) G.O.Rt.No.536, Rev (Vig.I) Dept, dated:10.3.2006.
- 4) G.O.Rt.No.1899, Rev (Vig.I) Dept, dated:28.8.2006.
- 5) CCT.Ref.No.V3/177/2004, Dated: 13.6.2008 together with Enquiry Officer Report.

ORDER:-

Whereas in the reference 1st read above the Commissioner of Commercial Taxes, Hyderabad while communicating the draft articles of charges against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) and requested for necessary action as the Charge Officer Retired on 31.1.2003.

2) Whereas in the reference 2nd read above sanction was accorded for initiation of Departmental proceeding against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

3) Whereas in the reference 3rd read above articles of charges were framed and issued against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) as he had held responsible for accepting certain fake 'C' forms and finalizing the assessment with concessional rate of tax @ 4%.

4) Whereas in the reference 4th read above, the Assistant Commissioner (Commercial Tax) (LTU) Kurnool, Division was appointed as Enquiry Authority Under Rule 20(2) of APCS (CCA), Rules 1991 to enquire into the charge framed against Sri L.Basheer Ahmad, Asst. Commercial Tax Officer, (Retd.,)

5) Whereas in the reference 5th read above, the Commissioner of Commercial Taxes, Hyderabad has furnished the Enquiry Officer report.

6) Whereas in his report the Enquiry Officer has state that the Charged Officer highlighted provisions laid down section 12 of CST ,Act and therefore not admitted guilt that he has accepted 'C' from with ulterior motive and therefore no departmental action is warranted in his case and requested to revise the assessment in case the 'C' form is found to be defective and treat the omission pointed out by the Regional Vigilance and Enforcement Officer, Kurnool on par with the A.G.Audit paras. The Enquiry Officer is therefore convinced with the arguments advanced by the

charge Officer and felt that the charged officer shall be indemnified under Sec.12 of CST Act.

7) While concluding the case the Enquiry Officer found that the charge of accepting the ' C ' form with malafied intention to sustain loss to the Government and failure to maintain devotion to duty is not established and therefore held that the charges framed against the Accused Officer is not proved.

8) Government after careful examination of the matter hereby drop further action against Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.), duly accepting the finding of Enquiry Officer.

9) The Commissioner of Commercial Taxes, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.),
through Commissioner of Commercial Taxes, Hyderabad.
The Commissioner of Commercial Taxes, Hyderabad.

Copy to:-

The Deputy Commissioner (Commercial Tax) , Kurnool Division, Kurnool.
The Accountant General, A.P., Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
The District Treasury Officer, Kurnool.
File/SF/SCs.

// FORWARDED:: BY ORDER //

SECTION OFFICER
